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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BEVERLY SCHULTZ,

Plaintiff,

No. C-03- 4417 MHP

v.

ORDER

SAN FRANCISCO BAY AREA RAPID TRANSIT  
DISTRICT, et al.,

Defendants.

On February 23, 2004, defendant San Francisco Bay Area Rapid Transit District filed a motion for partial summary judgment with this court. Consistent with this court's local rules, a hearing on the motion was initially set for April 5, 2004. Under Local Rule 7-3(a), plaintiff Beverly Schultz was required to file any opposition to defendant's motion at least twenty-one (21) days before the hearing—that is, by March 15, 2004. See Local R. 7-3(a) ("Any opposition to a motion must be served and filed not less than 21 days before the hearing day."). On March 17, 2004, the court reset the hearing on the motion for April 19, 2004, expressly preserving the original briefing schedule. To date, plaintiff has not filed an opposition to defendant's motion, nor has it sought an enlargement of time in which to do so. The court has already taken the motion under submission without oral argument, and the court now deems the motion unopposed. Defendant's motion for partial summary judgment is thus GRANTED as unopposed.

IT IS SO ORDERED.

Date:

*April 29, 2004*

*Marilyn Hall Patel*  
MARILYN HALL PATEL  
Chief Judge  
United States District Court  
Northern District of California